IN THE HIGH COURT OF JUDICATURE AT BOMBAY
SIDE JURISDICTION
CRIMINAL APPLICATION NO.498 OF 2007

Shri Anwar Abdul Raur Khan ...Applicant.
V/s.
The State of Maharashtra ...Respondent.

Shri Dnyaneshwar Deshmukh, adv. for the Applicant.
Smt.M.H.Mhatre, APP for the Respondent/State.

CORAM: J.H.BHATIA, J.
DATE : 2nd April, 2007.

P.C.:

1. Heard Mr.Deshmukh, the learned counsel for the applicant and Mrs.Mhatre, the learned APP for the State. Perused the record.

2. The present applicant is an accused in crime no.89 of 2005 under Sections 307, 120B of the I.P.C. registered at Vithalwadi police station. By the order dated 19-12-2005, the First Ad-hoc Additional Sessions Judge, Kalyan had granted bail to the present applicant with the condition that pending the trial he shall not enter and stay within the limits of Greater Bombay, Thane District and Raigad district including the municipal corporations of Thane, Kalyan, Dombivli, Ulhasnagar, Ambernath and Badlapur. In Criminal Application No.76 of 2006 by the order dated 18th January, 2006, this Court limited this restriction only

to entry and stay within the limits of municipal corporations of Ulhasnagar, Dombivli and Kalyan. He was given liberty to apply again for further relaxation after a period of six months. By this application the applicant seeks relaxation of the condition on the ground that he is a scrap dealer at Ulhasnagar and Kalyan. Due to this restriction, his business has come to complete stand still and his bank account is also freezed as he could not carry on the business. After some discussion at bar, the learned APP Mrs.Mhatre concedes that this restriction may be removed and the condition of reporting at Vithalwadi Police Station once in a month, which has come to an end in the March, 2007 should continue till the end of the trial.

3. In view of the above circumstances, the application is allowed. Condition of restraining the applicant from entering and staying within the limits of municipal corporations of Ulhasnagar, Dombivli and Kalyan is hereby relaxed. However, he shall continue to report at Vithalwadi police station once in a month till the end of the trial.

4. Application stands disposed off.

(J.H.Bhatia,J.)